



CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

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Thomas A. Runk
Thomas A. Runk, Reg. No. 30,679

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/628,673
Applicant : Cimino, et al.
Filed : July 28, 2003
Title : SURGICAL SYSTEM CONSOLE
Art Unit : 3763
Examiner : CATHERINE SERKE WILLIAMS

Docket No.: : 74798
Customer No. : 24201

TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING REJECTION
UNDER 37 C.F.R. § 1.321(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Terminal Disclaimer is filed as a response to the Office Action mailed on February 27, 2006. In the Action, the Office rejected claims 1-4 and 7-9 on an obviousness double patenting basis. The Terminal Disclaimer and the accompanying 37 CFR 3.73 Statement are submitted to overcome that rejection.

Applicant, Integra LifeSciences (Ireland) Ltd., an Ireland company, having a place of business at Unit 6, 42 Rosemount Park Drive, Rosemount Business Park, Dublin Ireland ("Integra"), is the assignee and owner of 100 percent interest in the instant application, U.S. Application No. 10/628,673, filed on July 28, 2003 for SURGICAL SYSTEM CONSOLE,

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which is a continuation of commonly owned U.S. Application No. 09/396,903 filed September 15, 1999, now U.S. Patent No. 6,602,227.

The assignment documents have been reviewed, a statement under 37 CFR 3.73(b) enclosed herewith, and applicant Integra hereby certifies that, to the best of applicant's knowledge and belief, the entire right, title, and interest in and to the instant continuation application and U.S. Patent No. 6,602,227 are in applicant.

Applicant hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,602,227, issued August 5, 2003, which is owned by applicant. Applicant hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, applicant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: July 20, 2006

Respectfully submitted,

Integra LifeSciences (Ireland) Ltd.

By: 

Name: John B. Henneman

Title: Chief Administrative Officer

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Enclosures